

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>GENESIS MATOS-RAMIREZ,</b>	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION NO. 1:21-1026</b>
<b>v.</b>	:	<b>(MANNION, D.J.)</b>
<b>NORTHHAMPTON COUNTY JAIL,</b>	:	
<b><i>et al.</i>,</b>	:	
<b>Defendants</b>	:	

**ORDER**

Presently before the court is the Report and Recommendation ("Report") of Magistrate Judge Susan E. Schwab. (Doc. 5). In it, Judge Schwab recommends the court issue an order transferring this case to the United States District Court for the Eastern District of Pennsylvania. No objections to the Report have been filed.

Even where no objection is made, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed.R.Civ.P. 72(b) advisory committee notes; see also *Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D.Pa.2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir.1987) (explaining judges should give some review to every report and recommendation)). Nevertheless, whether timely objections are made or not,

the district court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. §636(b)(1); M.D.Pa. Local Rule 72.31.

In her Report, Judge Schwab observes that, although the plaintiff is currently incarcerated in a facility in the Western District of Pennsylvania, the defendants she named are institutions or individuals located in the Eastern District of Pennsylvania. Further, the Report notes that all of the events or omissions alleged occurred in counties in the Eastern District. Consequently, the appropriate venue is the Eastern District. Thus, after reviewing the pertinent law, Judge Schwab concludes that transferring this case to the Eastern District of Pennsylvania would be in the interest of justice and recommends the court issue an order doing so.

Having conducted a thorough review of all pertinent filings, the court finds the Report of Judge Schwab to be well-reasoned and well-supported. As such, the court will adopt the Report in its entirety as the decision of the court.

As a result, the plaintiff's motion for leave to proceed *in forma pauperis*, filed June 25, 2021, (Doc. 6), will be **DENIED without prejudice**, to refile in the Eastern District of Pennsylvania.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

(1) Judge Schwab's Report, (Doc. 5), is **ADOPTED IN ITS ENTIRETY**;

(2) The case is **TRANSFERRED** to the United States District Court for the Eastern District of Pennsylvania;  
and

(3) The plaintiff's motion for leave to proceed *in forma pauperis*, (Doc. 6), is **DENIED** without prejudice to refiling in the Eastern District of Pennsylvania.

(4) The Clerk is directed to close this case.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
United States District Judge

**DATE: July 1, 2021**  
21-1026-01